

SUPPORT FOR THE AMENDMENTS

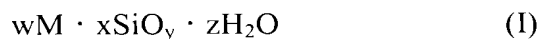
Claim 1 has been amended to correct a typographical error. The recitation of the mixing order is specified in the specification at page 24. Accordingly, no new matter is believed to have been added to the present application by the amendments submitted above.

REMARKS

Claims 1-2, 4-11 and 13-19 are pending. Favorable reconsideration is respectfully requested.

The present invention relates to a process for producing a diene-based rubber-inorganic compound composite comprising a diene-based rubber and an inorganic compound represented by the following general formula (I), comprising

a step of mixing an inorganic compound and/or a material capable of forming said inorganic compound and a compound having a carboxyl group, and then mixing the same with a dispersion liquid of a diene-based rubber:



wherein M is at least one metal element selected from the group consisting of Al, Mg, Ti and Ca, metal oxide thereof or metal hydroxide thereof, and w, x, y, and z are an integer of from 1 to 5, an integer of from 0 to 10, an integer of from 2 to 5, and an integer of from 0 to 10, respectively.

An important feature of the claimed process is mixing the inorganic compound and/or a material capable of forming said inorganic compound and the compound having a carboxyl group and then mixing the diene-based rubber with this mixture.

The rejections of the claims under 35 U.S.C. §102 over Kondo, Konno or Gorl and under §103(a) over Gorl in view of Thibon or Tsuji are respectfully traversed. The cited references fail to disclose or suggest the claimed process.

In contrast to the present invention, Kondo, Konno and Gorl merely disclose mixing the inorganic filler and the diene-based rubber. Kondo, Konno and Gorl do not disclose mixing the inorganic compound and/or a material capable of forming the inorganic compound and the compound having a carboxyl group, and then mixing the diene-based rubber with this mixture. Further, Kondo, Konno and Gorl nowhere provide motivation to mix the inorganic compound and/or a material capable of forming the inorganic compound and the compound having a carboxyl group, and then to mix the diene-based rubber with this mixture.

Therefore, Claims 1, 2 and 4-11 are neither anticipated by Kondo, Konno and Gorl nor rendered obvious in view of the teaching of Gorl and Thibon or Tsuji.

In the Office Action, the Examiner asserts that Claims 13-19 are anticipated by Konno and rendered obvious in view of teaching of Gorl and Thibon or Gorl and Tsuji. (Page 3, No.3; Page 5, No. 7).

In Claims 13-19, the pH of the aluminum-containing suspension ranges from 5.1 to 8.4.

On the other hand, Konno describes that the pH of the aqueous dispersion of an inorganic compound preferably ranges from 8.5 to 11 or from 2 to 4 (paragraph [0069]).

In addition, Gorl discloses that the pH of the mixture of a polymer latex and a suspension is defined within the range from 4 to 7 (Claims 3, 4 and 7). However, this disclosure refers to the pH of the mixtures of the polymer latex and the suspension, not to the pH of the suspension itself. Accordingly, Gorl, Thibon and Tsuji do not disclose the pH of the aluminum-containing suspension. Nor do Gorl, Thibon and Tsuji provide a motivation to define the pH of the aluminum-containing suspension within the specific range specified in the claims of the present application.

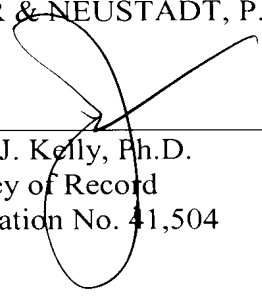
In view of the foregoing, the claimed process is not disclosed or suggested by Kondo, Konno, Gorl, Thibon or Tsuji. Accordingly, the claims are neither anticipated by nor obvious over those references. Withdrawal of these grounds of rejection is respectfully requested.

The obviousness-type double patenting rejection of the claims over U.S. application serial No. 10/129,330 (the '330 application, to Konno) is respectfully traversed. The claims of the present application are patentably distinct over the Konno application for the reasons discussed above. Accordingly, withdrawal of this ground of rejection is respectfully requested.

Applicants submit that the present application is in condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

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